

BEFORE THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

EDWARD C. SNUKIS, JR. and )  
SAMANTHA SNUKIS, )  
Co-Administrators of the )  
Estate of Edward C. )  
Snukis, ) Case No.  
 ) 3:21-cv-00135-TWP-MPB  
Plaintiffs, )  
 )  
-v- )  
 )  
CITY OF EVANSVILLE, )  
INDIANA; MATTHEW O. )  
TAYLOR, in his individual )  
capacity as an Evansville )  
police officer; TREVOR )  
KOONTZ, in his individual )  
capacity as an Evansville )  
police officer; and )  
NICHOLAS HACKWORTH, in his )  
individual capacity as an )  
Evansville police officer, )  
 )  
Defendants. )

The videotaped deposition upon oral examination of TREVOR KOONTZ, a witness produced and sworn before me, Sherry D. Lenn, RPR, and Notary Public in and for the County of Warrick, State of Indiana, taken on behalf of the Plaintiffs at the offices of Ziemer, Stayman, Weitzel & Shoulders, LLP, 20 N.W. First Street, Ninth Floor, Evansville, Indiana, on August 18, 2022, at 10:08 a.m., pursuant to the Federal Rules of Civil Procedure.

STEWART RICHARDSON & ASSOCIATES  
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1 A Yes.

2 Q Okay. Tell me what you recall being taught about  
3 arrests.

4 A That when someone broke a said law, that -- that  
5 then they are under an arrest if you have the  
6 evidence put forth.

7 Q Okay. What about an arrest -- well, let's back up.  
8 Do you know what a Terry stop is?

9 A I remember the quotations, yes.

10 Q Do you recall what it is, though?

11 A No.

12 Q But recall it being discussed?

13 A Yes.

14 Q Was that at U of E or in the army or -- sorry, not  
15 the Army. Was that at U of E or in the academy or  
16 your rotation, or do you recall?

17 A Academy and a little bit in our studies at U of E.

18 Q Okay. And again, do you recall any of the  
19 specifics about Terry stops --

20 A No.

21 Q -- other than the phrase?

22 A No. I just remember that being a phrase.

23 Q Were you taught at the academy anything about -- or  
24 during your rotation anything about pain  
25 compliance?

1 A Taught as in like a class of pain compliance or --

2 Q About --

3 A -- said that would be --

4 Q Yes.

5 A I'm confused.

6 Q Well, let me ask -- let me ask a different question  
7 then. Based upon the training you received at the  
8 academy and the -- in your rotation, and I'll  
9 include U of E and the Army --

10 A Right.

11 Q -- do you -- what does pain compliance mean to you?

12 A It means, you know, if someone is doing something,  
13 that you then exert a certain force to get them to  
14 comply, I would assume.

15 Q You're assuming or --

16 A No. That's what my --

17 Q -- you recall the training?

18 A No, I don't recall the exact definition, but that's  
19 what at this time I think it means.

20 Q Okay. So you don't recall what the training was  
21 about pain compliance and the use of pain  
22 compliance at the academy or during your  
23 rotation --

24 A No.

25 Q -- is that correct?

1 A I do not.

2 Q Okay. So let's -- let's just kind of start off --  
3 you know, I've asked you about September 13th and  
4 what happened before the incident. And is it fair  
5 to say you don't recall anything that happened that  
6 day --

7 A Very little.

8 Q -- prior to the accident?

9 A Yes.

10 Q All right. So let's then now talk about the  
11 incident and you tell me what you recall about the  
12 encounter with Mr. Snukis.

13 A Leading up to and through?

14 Q Yes.

15 A Okay.

16 Q Start at the beginning.

17 A Yep. I remember getting called through dispatch to  
18 a subject going through some car lots, checking  
19 doors, and wouldn't listen to demands to leave from  
20 employees. And so we were dispatched to figure out  
21 what -- you know, what was going on. I don't  
22 remember if it was a check welfare or if it was  
23 disorderly or something like that. I don't  
24 remember that.

25 So we arrived on scene, and that's when the

1 subject was -- we [as said] appeared to be the  
2 subject was right in front of our vehicle. And  
3 that's when me and Officer Taylor exit our  
4 vehicles. And I spoke with him, and he was being  
5 very confrontational. So that's when I told him --  
6 he had a bag in his hand. I told him to put down  
7 the bag. And he had his arms up in the air and  
8 that kind of thing. So I told him to calm down,  
9 listen to what I'm saying, and he wouldn't comply.  
10 So that's when I approached him a little bit closer  
11 as to if something did go on, that I was within  
12 reactionable distance to, you know, either keeping  
13 me safe or Officer Taylor safe. And that's when he  
14 wouldn't comply with commands, still, with either,  
15 you know, me telling him to calm down or, you know,  
16 listen to what I had to say and just to figure out  
17 the situation. And that's when I made the decision  
18 to go hands on. And at that point I told him to  
19 put his arms down and to turn around so I could  
20 place him in handcuffs, because he was raising his  
21 voice. His muscles were flexed. His demeanor was  
22 of a fighting stance. So at that point I tried to  
23 put him into custody, if you will. I wasn't trying  
24 to arrest him. I was just trying to get him  
25 controlled. And he resisted, so I told him to stop

1     resisting. And then that's when he broke away from  
2     me and punched me across the face, striking my  
3     nose. At that point, it caught me off balance, and  
4     I believe either I fell to the ground or nearly  
5     fell to the ground or something -- it -- it  
6     stumbled me. And that's where Officer Taylor then  
7     took point and gave him a certain amount of  
8     commands. And then after a moment his -- Officer  
9     Taylor deployed his Taser. The subject fell to the  
10    ground, but it didn't quite get a good connection  
11    because it didn't fully render him safe at that  
12    point. He stood back up and in a fighting stance,  
13    so I drew my weapon at that point, because as we  
14    were talking, the level of -- different levels. So  
15    he had not complied to the -- there he could then  
16    -- now that we've already tried the Taser at that  
17    point, he could still then strike and that would be  
18    our next level.

19       Then at that point he took off running towards  
20    the opposite direction, so we took chase at that  
21    point. I believe at that I heard over the radio  
22    Officer Taylor describe the scene that he was  
23    running to the other officers in what direction.  
24    We lasted about half a block, and that's when the  
25    subject tripped, falling into a parking lot. I

1 think it was like a sewer drain or sewer manhole or  
2 something he tripped over. And that's where  
3 Officer Taylor then got on top of him and was  
4 trying to gain control. He had the upper half of  
5 his body and I had the lower half, as which we were  
6 trained. If one's on top, then the other one tries  
7 to get control of the legs so he can't stand up.  
8 So I gained control of both of his legs, and he  
9 gained control of his upper body. And he then  
10 tried to -- he just kept resisting. We were  
11 telling him to stop resisting, stop resisting, just  
12 put your hands behind your back. He was not  
13 complying, so then I finally got control of one of  
14 his arms and I put that behind his back. He was  
15 laying on his other arm, so we could not get that  
16 arm from -- out from under him. So we told him to,  
17 you know, give us his other arm, comply, stop  
18 resisting. We finally got the other arm out and  
19 free, and then in custody, and that's, I believe,  
20 when Officer Hackworth entered the scene. When he  
21 got on scene, he assisted in fully putting the  
22 subject in custody of actually then applying both  
23 handcuffs around both wrists. And then that's when  
24 he rolled over on to his back or I rolled him --  
25 either Officer Hackworth or I -- someone rolled

1 onto his back, and that's when we noticed his  
2 breathing was there but kind of not fully as one  
3 should be. So we asked him to wake up, you know,  
4 asked him for his alertness. I believe either I  
5 and/or Officer Taylor rubbed his chest. It's  
6 called a sternum rub to get him to wake up, and he  
7 was a little conscious. He was moving his lips at  
8 that point I remember. And then I checked his  
9 pulse. It was faint -- it was still there, but  
10 faint. And I alerted to Officer Taylor that -- you  
11 know, I can't remember if I said something or if I  
12 just, you know, looked at him. And then we both  
13 knew, you know, hey, he needed some help. So  
14 Officer Hackworth then at that point put some  
15 gloves on and then helped -- he was a little bit  
16 more medically trained than we were. He had a full  
17 medical bag and that kind of thing. So he took  
18 over mostly at that point, and then I started chest  
19 compressions, which -- because that just helps him  
20 breathe on that, and hopefully to get him to a  
21 full, you know, stable point. That's when Officer  
22 Taylor noticed that we may need some more medical  
23 assistance, so he called for EFD to get there, fire  
24 department, Evansville Fire Department. And then  
25 it was within a few moments that both AMR and EFD



1 was on scene. And that's when it gets a little  
2 blurry because there was a -- then a lot more  
3 people showed up on scene. At that point I can  
4 remember that's when I first realized I had -- I  
5 was struck pretty bad, that there was blood going  
6 down the front of my face. That's at that point,  
7 because I noticed my breathing was very hard. So I  
8 wiped my nose and there was just blood everywhere  
9 on my face. I didn't know what quite that was  
10 from. It was a, you know, troubling scene, so I  
11 had no idea.

12 And then from there that's when I believe it  
13 was Sergeant, I think it's Holzmeyer -- I don't  
14 remember who -- what I said his name -- I'm not  
15 quite sure how to pronounce or who it was, but I  
16 believe he was the sergeant of the night for the  
17 night shift or evening shift. And he got on scene,  
18 took control. He asked me and Sergeant Taylor --  
19 or Officer Taylor, you know, what had happened,  
20 what's going on, that kind of thing. And that's  
21 when it gets real blurry, and I don't remember much  
22 in between until the meeting of the four gentlemen  
23 in the room kind of. You had reminded me about  
24 St. Vincent or Deaconess, whichever one, about  
25 taking pictures, but I don't quite remember that.

1 That's kind of fuzzy in there as well.

2 Q Okay. Anything else you remember about the  
3 incident with Mr. Snukis on September 13th?

4 A Not at this time, no. That's about --

5 Q So let me just ask you a question.

6 A Yeah.

7 Q You can't recall anything at all that happened on  
8 September 13th before this incident, but you  
9 recalled in, I would say, great detail what  
10 happened during this incident.

11 A Correct.

12 Q How is it that you can recall nothing about the  
13 rest of the day but recall this incident with such  
14 detail?

15 A Because I don't think I'll ever forget those --  
16 those few minutes.

17 Q Why is that?

18 A I mean, I -- it's almost ingrained into my mind. I  
19 mean, I -- I don't even know. Like that was -- we  
20 have -- with -- you know, during -- with what was  
21 her name -- Erin, we reviewed our body cam footage  
22 there, and it was like -- it was like it was  
23 turning back on what I already could see in my  
24 mind, so --

25 Q When was that that you watched the body cam